

NOTICE OF APPEAL
TO
U.S. COURT OF APPEALS, THIRD CIRCUIT

U.S. District Court for the District of Delaware

CIRCUIT COURT
DOCKET NUMBER: _____
(leave blank)

FULL CAPTION IN DISTRICT COURT AS FOLLOWS:

IN THE UNITED STATES DISTRICT COURT DISTRICT COURT
FOR THE DISTRICT OF DELAWARE DOCKET NUMBER: 07-36-JJF

v.

DISTRICT COURT

JUDGE: Joseph J. FarnanEdward Gibbs Jr. pro se,Notice is hereby given that Edward Gibbs Jr.

(Named Party)

appeals to the United States Court of Appeals for the Third Circuit from [] Judgment, Order,

[] Other (specify) _____

entered in this action on May 19, 2008
(date)Dated: May 19, 2008Edward Gibbs Jr. pro se,
(Counsel for Appellant-Signature)Edward Gibbs Jr. pro se
(Name of Counsel - Typed)
Delaware Correctional Center
1181 Paddock Road
(Address)Smyrna Del, 19977
(City, State Zip)

(Telephone Number)



James Turner Walker
(Counsel for Appellee)
Department of Justice, Civil Statewide
820 N. Franklin St.
(Address)

Wilmington Del, 19801
(City, State Zip)

(Telephone Number)

NOTE: USE ADDITIONAL SHEETS if all appellants and/or all counsel for appellees cannot be listed on the Notice of Appeal sheet.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

EDWARD GIBBS, :
: Petitioner, :
: :
v. : Civ. Act. No. 07-36-JJF
: :
PERRY PHELPS, Warden, and :
ATTORNEY GENERAL OF THE STATE :
OF DELAWARE, :
: Respondents. :
:

O R D E R

At Wilmington, this 9 day of May, 2008, for the reasons set forth in the Memorandum Opinion issued this date;

IT IS HEREBY ORDERED that:

1. Petitioner Edward Gibbs' Application For A Writ Of Habeas Corpus Pursuant To 28 U.S.C. § 2254 (D.I. 1.) is **DISMISSED**, and the relief requested therein is **DENIED**.
2. Petitioner's Motion for Evidentiary Hearing (D.I. 43.) is **DENIED**.
3. The Court declines to issue a certificate of appealability because Petitioner has failed to satisfy the standards set forth in 28 U.S.C. § 2253(c)(2).



UNITED STATES DISTRICT JUDGE